

# United States Court of Appeals

Eleventh Circuit  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

John Ley  
Clerk

November 10, 2010

## NOTICE TO ALL COUNSEL OR RECORD:

No. 08-15590 - Wyon Dale Childers v. Willie L. Floyd

Dear Counsel:

Enclosed is an order entered by the court directing that this case be reheard en banc. Under Eleventh Circuit Rule 35, the effect of granting rehearing en banc is to vacate the previous opinion and judgment of this court and to stay the mandate.

You will be notified by subsequent correspondence of the schedule for filing en banc briefs, the issue(s) which the court wishes the parties to focus on in their briefs, and the page limitations on them. We will communicate with you at a later time regarding report time and time limitations on oral argument should this case be designated for oral argument.

Sincerely,

JOHN LEY, Clerk

By: \_\_\_\_\_  
Joyce T. Pope  
Calendar Clerk

Nathan Z. Dershowitz (FAX 212-889-3595)  
Christine Ann Guard (FAX 850-922-6674)  
Clerk, U.S. District Court (NFL-Pensacola)  
Hon. Lacey A. Collier

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

\_\_\_\_\_  
No. 08-15590

(D.C. Docket No. 07-00243-CV-3-LAC-EMT)

<b>FILED</b> <b>U.S. COURT OF APPEALS</b> <b>ELEVENTH CIRCUIT</b> <b>November 10, 2010</b> <b>JOHN LEY</b> <b>CLERK</b>
--

WYON DALE CHILDERS,

Petitioner-Appellant,

versus

WILLIE L. FLOYD, Warden,  
Glades Correctional Institution,,

Respondent-Appellee.

-----  
On Appeal from the United States District Court for the  
Northern District of Florida  
-----

(Opinion June 8, 2010, 608 F.3d 776, 11<sup>th</sup> Cir. 2010)

(November 10, 2010)

Before DUBINA, Chief Judge, TJOFLAT, EDMONDSON, BLACK, CARNES, BARKETT, HULL,  
MARCUS, WILSON, PRYOR and MARTIN, Circuit Judges.

**B Y   T H E   C O U R T :**

A member of this Court in active service having requested a poll on the suggestions of rehearing en banc and a majority of the judges in this Court in active service having voted in favor of granting a rehearing en banc,

IT IS ORDERED that the above cause shall be reheard by this court en banc. The previous panel's opinion is hereby VACATED.